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**UNITED STATES DISTRICT COURT  
DISTRICT OF WYOMING**

**TODD SCHMIDT,**

Plaintiff,

**v.**

**EDWARD SIEDEL**, in his official capacity  
as the President of the University of  
Wyoming, and **RYAN O’NEIL**, individually  
and in her official capacity as Dean of  
Students for the University of Wyoming,

Defendants.

**CIVIL ACTION NO.: 2:23-cv-00101-NDF**

**PLAINTIFF’S MOTION FOR  
PRELIMINARY INJUNCTION**

Comes now Plaintiff Todd Schmidt (Schmidt), pursuant to Fed. R. Civ. P. 65(a), and respectfully moves this Court for a preliminary injunction enjoining Defendants Edward Siedel, in his official capacity as the President of the University of Wyoming, and Ryan O’Neil, individually, and in her official capacity as Dean of Students for the University of Wyoming, their agents, servants, employees, attorneys, and all persons and entities in active concert or participation with them, directly or indirectly, from applying and enforcing University of Wyoming (UW) policy § 2.B.4 or any other policy or practice to censor disfavored views, and, particularly, Schmidt’s opinion on the sexual identity of Artemis Langford. Plaintiff also seeks a preliminary injunction enjoining Defendants, their agents, servants, attorneys, and all persons and entities in active

concert or participation with them from applying UW policy § 5.B.15 or any other policy or practice to bar or suspend Schmidt from having access to a breezeway table in the Union due to him expressing his opinion about Artemis Langford's sex.

In the absence of a preliminary injunction, Schmidt will suffer irreparable harm, specifically, he will lose rights and freedoms guaranteed by the United States Constitution. In support of his Motion, Schmidt relies on the following:

- A. Declaration of Todd Schmidt, attached as Exhibit "A";
- B. University of Wyoming Union Policies and Operating Procedures, containing § 2 Reservation Policies and § 5 Breezeway Tables, a true and correct copy attached as Exhibit "B";
- C. First Photograph of Todd Schmidt's Breezeway Table with Sign, a true and correct copy attached as Exhibit "C";
- D. Second Photograph of Todd Schmidt's Breezeway Table with Sign, a true and correct copy attached as Exhibit "D";
- E. Third Photograph of Todd Schmidt's Breezeway Table with Sign, a true and correct copy attached as Exhibit "E";
- F. Fourth Photograph of Todd Schmidt's Breezeway Table with Sign, a true and correct copy attached as Exhibit "F";
- G. First Amended Verified Complaint of *Westenbroek, et. al. v. Kappa Kappa Gamma Fraternity, et. al.*, No. 2:23-cv-00051-ABJ, a true and correct copy attached as Exhibit "G";

- H. Article from *Branding Iron* dated October 12, 2022, entitled “Kappa Kappa Gamma first to accept open-transgender student in UW history”, a true and correct copy attached as Exhibit “H”;
- I. Article from *Cowboy State Daily* dated October 17, 2022, entitled “University of Wyoming Sorority Accepts First Transgender Member,” a true and correct copy attached as Exhibit “I”;
- J. Article from *Washington Examiner* dated October 18, 2022, entitled “Wyoming sorority makes history after accepting transgender student into sisterhood,” a true and correct copy attached as Exhibit “J”;
- K. Article from *National Review* dated October 21, 2022, entitled “University of Wyoming Sorority Girl Speaks Out on Transgender Pledge: ‘He’s Just Calling Himself a Girl,’” a true and correct copy attached as Exhibit “K”;
- L. University of Wyoming Mission, a true and correct copy attached as Exhibit “L”;
- M. Photograph of Todd Schmidt’s Breezeway Table with Sign After he was Forced to Change Message, a true and correct copy attached as Exhibit “M”;
- N. Ed Seidel’s “A Message From the President” with caption “We’re Responding to Incidents of Concern” dated December 5, 2022, a true and correct copy attached as Exhibit “N”;
- O. Article from *Cowboy State Daily* dated December 5, 2022, entitled “University of Wyoming Asks Church Elder to Change Sign Calling LGBTQ Student a Male,” a true and correct copy attached as Exhibit “O”;

- P. Article from *Casper Star Tribune* dated December 5, 2022, entitled “LGBTQ student at UW targeted by message displayed in student union,” a true and correct copy attached as Exhibit “P”;
- Q. Letter dated December 7, 2022, entitled “An Open Letter from University of Wyoming Alumni to President Ed Seidel, and Other Members of University Administration, a true and correct copy attached as Exhibit “Q”;
- R. Letter from University of Wyoming Dean of Students Ryan O’Neil to Todd Schmidt dated December 7, 2022, informing of one-year table ban, a true and correct copy attached as Exhibit “R”;
- S. University of Wyoming Regulation 4-2, discrimination and harassment, a true and correct copy attached as Exhibit “S”;
- T. Letter from University of Wyoming President Seidel to members of University of Wyoming community dated December 7, 2022, a true and correct copy attached as Exhibit “T”;
- U. Letter from Wyoming Secretary of State and members of Wyoming Legislature to University of Wyoming officials dated December 9, 2022, a true and correct copy attached as Exhibit “U”;
- V. Letter from Wyoming Representative Chip Neiman to University of Wyoming officials dated December 9, 2022, a true and correct copy attached a Exhibit “V”;
- W. Response Letter from Mike Smith, University of Wyoming Vice President for Governmental Affairs & Community Engagement dated December 14, 2022, a true and correct copy attached as Exhibit “W”;

- X. Poster of Artemis Langford running for University of Wyoming Student Senate, a true and correct copy attached as Exhibit “X”;
- Y. University of Wyoming student election results, a true and correct copy attached as Exhibit “Y”;
- Z. Verified Complaint of Todd Schmidt; and
- AA. Memorandum of Law in Support of this Motion filed simultaneously with this Motion.

**WHEREFORE, PREMISES CONSIDERED,** Plaintiff Todd Schmidt respectfully requests that this Honorable Court grant his Motion for Preliminary Injunction.

Respectfully submitted,

/s/ Nathan W. Kellum  
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**CERTIFICATE OF SERVICE**

I hereby certify that on June 28<sup>th</sup>, 2023, the foregoing was filed electronically with the Clerk of the Court using the CM/ECF system, and that a copy of the foregoing will be delivered to a process server for service on defendants.

s/ Nathan W. Kellum

Attorney for Plaintiff